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State of Wisconsin
Department of Workforce Development
Jim Doyle, Governor
Roberta Gassman, Secretary

December 23, 2004

The Honorable Joseph Leibham
Co-Chair, Joint Committee for
Review of Administrative Rules
Room 409 South, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

The Honorable Glenn Grothman
Co-Chair, Joint Committee for
Review of Administrative Rules
Room 15 North, State Capitol
P.O. Box 8952
Madison, WI 53708

RE: Clearinghouse Rule 04-081 (Prevailing Wage Rates on Public Work Projects)

Dear Senator Leibham and Representative and Senator-Elect Grothman:

This letter is in response to your committee's motion requesting that the Department of Workforce Development consider making modifications to the above-cited Clearinghouse Rule. It is our understanding that JCRAR would like the Department to work with all interested parties and reach a consensus on this important administrative rule. It is also the Department's understanding that JCRAR's objection will be suspended pending these discussions.

The Department appreciates this opportunity and will convene a representative group of interested individuals to work on a consensus rule. The Department will schedule a meeting with interested individuals during the first part of January 2005 and will report our outcome to JCRAR by February 2005. In particular, the meetings will address the concerns raised during the hearings regarding how the total benefits package may affect overtime pay.

The agency rule-making process did provide an opportunity for full public input and the opportunity for all interested parties to provide their ideas and comments. Under these unique circumstances, however, we are willing to meet at this time to resolve this issue. We are hopeful that these parties will avail themselves of the agency's public input process in the future.

In closing, the Department prides itself in reaching out to all parties in order to achieve consensus on issues of great importance to the people of Wisconsin. We are confident that we can reach consensus on this issue as well. Should you need additional information, please do not hesitate to contact me.

Respectfully,

Micabil Diaz-Martinez
Attorney at Law
Administrator

Cc: Secretary Roberta Gassman

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